14 pp
14 pp
plus 20 pp letter
3/11/13
to Helena N.F.

To: Objection Reviewing Officer, USDA Forest Service Northern Region
PO Box 7669, Missoula, MT 59807

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Project Name: Blackfoot Travel Plan FEIS and Travel Plan Draft ROD

Project Administrative Unit: Helena National Forest

Lead Objector: Greg Munther, Montana Backcountry Hunters and Anglers

Signature and Date 5/6/14

#14-01-00-0037

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Signature and Date 5-4-14

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Rules associated with Objection are cited and discussed in each individual objection.

Deadline for Objections: May 12, 2014

Montana Chapter Backcountry Hunters and Anglers is an all volunteer organization comprised of Montana resident hunters and anglers who are dedicated to protecting and enhancing Montana's public land wildlife and fisheries habitats, as well as fostering traditional non-motorized hunting and fishing opportunities for the present, as well as future generations. Many of our members hunt and fish extensively within the public lands of the Helena National Forest.

Backcountry Hunters & Anglers is a national organization that seeks to ensure North America's outdoor heritage of hunting and fishing in a natural setting, through education and work on behalf of wild public lands and waters.

Previously BHA and/or MT BHA have submitted comments on the Blackfoot Travel Plan in letters dated October 7, 2009, November 22, 2010, March 11, 2013. Each of the subjects contained in these objections were identified in one or more of these three letters, which should be on file with public involvement documents as part of the Blackfoot Travel Plan but are also available on request. The Montana BHA co-chairman, along with other conservation representatives met with Helena Forest Supervisor Kevin Riordan on or about April 15, 2013. On April 2, 2014 the MT BHA Co-chairman attended a Lincoln Restoration Committee meeting

in Lincoln with Ranger Amber Kamps present, as well as representatives of Montana Fish Wildlife and Parks, where MT BHA participated in the Travel Plan discussion.

The following are objections pertaining to the Blackfoot Travel Plan by Montana Backcountry Hunters and Anglers and Backcountry Hunters and Anglers.

Process Objection: We find it inappropriate to have scheduled public objection to a travel plan that is relying on adoption of three Amendments which have not yet been finalized. For the Blackfoot Travel Plan to meet all Standards of the Helena Forest Plan, the big game security, roadless and research natural areas amendments proposed concurrently with this proposed Travel Plan must be found to meet tests of appropriate laws, policies and consideration of best available science. However MT BHA and BHA are forced to be inappropriately speculative in these Travel Plan objections because of the concurrent timing on an uncompleted separate process of public involvement of proposed three Forest Plan Amendments. These are clearly interconnected actions. It is clear that the Selected Travel Plan Alternative does not meet the current Standards of the Forest Plan. Therefore, we, as a public conservation group, have to inappropriately decide whether to comment on the Travel Plan without consideration of Amendments, or rather with assumption of one, two or three amendments being finalized as proposed. In addition, public acceptance of this Travel Plan predisposes legitimate debate about the Amendments, for which comment actually ends *after* the objection period for this Travel Plan.

A legitimate process would have been first propose Forest Plan Amendments, gather public comment and make a decision related to each Amendment. Following that process, a Travel Plan process would begin based on an Amended Forest Plan. The public could then assess how the proposed travel plan met the amended Forest Plan, including the new Standards, to the extent they were finalized

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While we will likely object to all or portions of each of the three Proposed Amendments, we have great difficulty providing meaningful public input to this Travel Plan when we do not know the outcome of each proposed Amendment.

Proposed Resolution: While we do not wish to delay a new travel plan, we assert the Forest must acknowledge the concurrent combined process is flawed from a public involvement standpoint, and therefore should not be emulated in other unit planning such as Divide Travel Plan, nor emulated by other Forests in the Region.

Implementation Objection: There is no assurance nor schedule in the FEIS or the ROD to assure that this Travel Plan will be fully implemented (FEIS p 8) in a timely manner. There is in fact, a caution and disclaimer as per".....implement carefully"(ROD p 18). There is also a projected cost of 2.689 million dollars (FEIS p 479), which would include cost of decommissioning, etc,. The Lincoln District Ranger told Helena Hunters and Anglers that the budget would dictate when the travel plan would be implemented. There is no interim or progressive implementation schedule proposed nor displayed. Without a commitment to implement the Travel Plan, there is no assurance that improvements in big game security, water quality or fisheries habitat will improve as stated in the FEIS. It is entirely possible that new timber harvests and new road construction could take place in

the travel plan area while the travel plan was still not implemented, therefore further reducing the effective big game security, water quality and fisheries habitat. The Helena Forest Plan has been approved for over 28 years, and despite elk security Forest Plan Standards, little has been done to improve elk security. The Travel Plan should be an implementation tool of the Forest Plan. Rather than implement the Forest Plan, instead three substantial Forest Plan Amendments are concurrently being proposed, all of which negatively impact big game security. The travel plan decision should result in immediate and substantial change to travel on the ground. With other Forest Service Travel Plans, the legal publishing of a paper travel plan is public notice of the legal use that may occur and can be used to enforce the decision. No such implementation assurance is provided in this decision.

Requested Resolution: Once the objections have been heard and a decision signed, the Helena must commit to full implementation with the publishing of a new Travel Plan Map, with enforcement authority. This must occur within 6 months via legal publishing of the travel plan map. This legal publication must indicate that the enforcement of all routes will commence on a specified legal date not to exceed 3 months, and enforcement will be premised on the travel plan map. The Forest would likely benefit from providing interim signing at all closed routes, and should install some form of physical barriers within one year at the entrances to all closed routes. As a minimum, this could be in the form of substantial and effective entrance obliterations of the road prism, which is likely less expensive than gates. There should be commitment to complete decommissioning or other road surface treatments within 2 years, unless imminent or ongoing projects need the road. The District must aggressive seek implementation funding.

Enforcement Objection: Forest Plan Standard 4f states Enforcement needs will be coordinated with MTFWP. The Forest FEIS responded that this would occur during implementation (FEIS Appendix A p 10). There is no documentation that law enforcement coordination has been integrated throughout this process, therefore important enforcement planning opportunities are already forgone. Simply it is very difficult to implement a bad design of travel system.

Travel planning must include enforcement considerations throughout the travel planning process, not just during implementation. For example, location of motorized routes through open terrain are vulnerable to illegal off road travel. Travel restrictions with motorized restrictions that begin out of sight from a traveled route are vulnerable to illegal travel. Ability to enforce a "stored road" closed by a gate is far more difficult than a decommissioned or recontoured road. Permitting motorized travel to camp up to 300 feet from a route is ripe for abuse and illegal use. Enforcement personnel of both agencies must be involved throughout the travel planning process to insure a travel plan is feasible to enforce. MTFWP will enforce illegal off road travel only during the hunting season, reducing enforcement capability at other times.

Requested Resolution: Engage enforcement personnel from both agencies before the Decision Notice is signed and modify the locations of closures, types of road closures, and review of off road travel to campsites to ensure feasibility to provide a high rate of compliance and low violation potential.

Coordination Objection: Forest Plan Standard 4h states the Forest Road Management Program will be developed *in conjunction* with MTFWP, yet MTFWP did not concur with application of elk security that left open the Helmville-Gould motorized trail, nor leave open Stonewall 417 after 9/1. Standard 4h is clear in the intent to move forward with the travel plan only with concurrence by MT FWP.

MDFWP did indeed meet with Helena NF personnel on occasions . However, we disagree that the Travel Management Program was developed "in conjunction" with MTFWP. MTFWP did cooperate with developing travel plan alternative 3 that provided considerably more elk security than selected Alternative 4.

Requested Resolution: As a minimum, restore the level of elk security in the Final Decision that MFWP agreed to when the Forest Plan Big Game Security Amendment and Alternative 3 were jointly developed. This would apply to all EHUs.

Off Road Travel Objection: The Tri State Off Highway Decision closed national forest lands to off route travel, unless special areas are designated. However, in contrast to this direction, the FFEIS response to Forest-wide Road Management Standards 1 (Appendix A p 22)states " In all Alternatives, access to the Helena National Forest will generally be open to vehicles except for roads or trails that may be restricted as defined in the road and trail management objective."

It is unclear to us and likely most readers of these documents if the Forest is closed to off road travel . If off road travel is not clearly closed in this travel plan, we assert that this Plan is in violation of the Tri State Off Highway Decision.

Requested Resolution: Simply affirm and state in the Decision and in all other parts of the FEIS that all off road or off trail travel is prohibited, unless otherwise authorized..

Road Maintenance and Road Minimization Objection Part 1: Forest-wide Road Maintenance Standard 1 (FEIS Appendix A p 23) asserts that Roads will be maintained in accordance with direction provided in FSH 7709. And will be at a level commensurate with the need for the following operational objectives: Resource protection, road investment protection, user safety, user comfort and travel efficiency.

In recent years the Helena has had maintenance budgets far below that requested and there is no reason to believe maintenance funding will be close to that necessary to meet the above objectives on the entire road network proposed to remain in place within the Blackfoot travel plan area. Failure to match the size of the road network with maintenance budget fails to comply with Forest Plan direction. The Forest response is that maintenance funds will be directed to higher use roads and where resource needs have been identified. However, it is likely most roads open to the public will

not receive adequate maintenance at frequencies necessary to prevent sedimentation to streams, as well as provide user safety. It is clear that the statement that annual maintenance of user created routes as stated in the FEIS will simply not occur, as response to Forest Fishery Standard 1 asserts.

Road Maintenance and Road Minimization Objection part 2: The Blackfoot travel plan does not comply with direction in Travel Management Rule and Executive Orders 16644 and 11989 (EOs) as well as FSM 7710 requiring determination of a minimum road system and minimizing environmental consequences.

Travel Management Rule and Executive Orders 16644 and 11989 (EOs) have specific requirements to address. Unlike NEPA, which requires agencies to assess environmental consequences of their decisions but does not obligate agencies to take actions that minimize those consequences, the Travel Management Rule requires the Forest Service to aim to minimize environmental damage when designating routes. Therefore the Helena must consider the "minimization" criteria set out in 36 C.F.R. § 212.55(b) and document how the agency applied the criteria in its designations on the record. The language "with the objective of minimizing" means that the whole goal or purpose of the exercise is to select routes in order to minimize impacts in light of the agency's other duties. Simply listing the criteria and noting that they were considered is not sufficient to meet this standard. Instead, the Forest Service must explain how the minimization criteria were applied in the route designation decisions. Executive Order 11644 directs minimizing effects on resources and other users: (1) Areas and trails shall be located to minimize damage to soil, watershed, vegetation, or other resources of the public lands. (2) Areas and trails shall be located to minimize harassment of wildlife or significant disruption of wildlife habitats. (3) Areas and trails shall be located to minimize conflicts between off-road vehicle use and other existing or proposed recreational uses of the same or neighboring public lands, and to ensure the compatibility of such uses with existing conditions in populated areas, taking into account noise and other factors.

The application of direction contained in the Travel Planning policy is not thoroughly reviewed or specifically addressed. FSM 7710 is described as " Requires travel analysis (FSH 7709.55, ch. 20) to inform decisions related to identification of the minimum road system (emphasis added) needed for safe and efficient travel and for administration, utilization, and protection of National Forest System (NFS) lands per 36 CFR 212.5(b) and to inform decisions related to the designation of roads, trails, and areas for motor vehicle use per 36 CFR 212.51. The selected final travel plan must comply with the FSM 7710 of minimizing the roads network on the Forest, and a discussion of compliance with the policy included in the NEPA documents including the FFEIS.

Selected Alternative 4 ignores the needs for visitor safety, facility protection and economics when the transportation network is larger than the expected maintenance budget. This plan appears to invite Forest users to use a motorized transportation network that will have inadequate maintenance on most of its routes. The resulting deteriorated condition is contradictory to this Standard with regard to issues of safety and resource protection. This Forest's preferred alternative appears to invite Forest users to use an expanded transportation network that will not have adequate maintenance on most of its routes, which is certain to contain safety hazards and create additional resource impacts.

Requested Resolution for both Part 1 and 2: In the final Decision, determine both the minimum road network and which portions of the current road network that can be maintained with the current budget. Specify only those specific roads in this travel plan that will be open to the public that can and will be maintained based on the recent historic anticipated road budget. Close, store or decommission all roads and motorized trails that cannot be maintained at recommended intervals with the current Forest road maintenance budget, proportioned for that portion within the Blackfoot Travel Plan area.

Disruption of Wildlife Habitats Objection: 36 CFR 212.55 criteria for designation of roads and trails specifies that roads and trails will be minimized that 1) damage soil, water, vegetation and other forest resources, and 2) harassment of wildlife and significant disruption of wildlife habitats. We object that Alternative 4 motorized trails and roads allowed to be open in otherwise important elk security and grizzly bear reproduction areas, including Helmville Gould trail and Stonewall violate the intent of this rule. Leaving these routes open to public travel forces elk to leave these important areas and contributes to elk leaving public lands for private lands. Recent findings of unusally dense wolverine population, solid lynx population and multiple grizzly bears including reproducing females substantiate the need to close Gould-Helmville motorized trail route(Gehman, Steve. 2014. Carnivore Surveys in the Ogden Mountain to Nevada Creek Region) .

We assert that leaving motorized routes open during key reproductive use periods and important to wildlife security violates 36 CFR 212.55 with respect to "harassment of wildlife and significant disruption of wildlife habitats"

Requested Resolution: As a minimum, close Helmville Gould and Stonewall trails to public motorized and do not improve to invite additional public use. Close roads and motorized routes in elk calving areas and nursery areas during the time periods specified. Close all motorized routes detrimental to mountain goat habitats.

Big Game Security Objection: Selected Alternative 4 fails to meet current Forest Plan Standard 4a. It also fails to provide 50% Elk Security on all EHUs , and in Poorman and Ogden EHUs reduces elk security below that of Alternative 3. Because Alternative 3, by NEPA requirements, must be viable, the big game security offered in that Alternative is a viable alternative that substantially improves big game security in EHUs with a documented substantial shortfall in elk security.

Despite a proposed Forest Plan Amendment that acknowledges that at least 50% of an EHU qualifying as elk security is appropriate for the Blackfoot drainage, the tentative decision Alternative 4 fails to close motorized routes and even improves and constructs some motorized routes in EHUs with less than 50% in elk security. This decision ignores the some recommendations of Montana Department of Fish

Wildlife and Parks as cooperating agencies, but also is not responsive to the body of science related to needs of elk and elk security.

Requested Resolutions re Alt 4 and elk security

Permanently close Gould- Helmville trail 467 to motorized use yearlong or at least by 9/1 and do not reconstruct as a motorized route. This ridgetop route slices through a large block of elk security, rendering the remnants much smaller and more linear, thus diminishing their effectiveness. A motorized ridgetop route puts hunters easily at the top of drainages which disturbs elk and other big game from the preferred security habitat of drainage headwaters. This route was largely user created, and was not a legal route within the Nevada Creek Roadless Area. Private land is a short distance away and significant levels of disturbance off this trail almost certainly will drive elk lower onto private lands. Reconstruction to an ORV standard would certainly greatly increase levels of use, particularly by archery hunters.

Due to lack of hiding cover security and excessive road density, displacement of elk from HNF public lands has occurred on all portions of the HNF, resulting in elk displacement to private lands and game damage complaints from many private landowners. [Settle, Grady, Sandru, Shockley, Mannix, Grossfield, Jacobsen] And harboring by others (Meyers Ranch, Croissant, old Vincent Ranch). In an April Lincoln Restoration Meeting, FWP biologist Jay Kolbe stated keeping the Helmville Gould trail open to motorized use would disturb elk that need only a short distance to move to private lands below.

Do not construct the motorized trail from the north intersecting with trail 487 as proposed on the map in Alt 3. This trail is unnecessary and will direct more hunters onto the ridgetop route.

Close trail 1827 9/1 instead of 10/15 as in Alt 3

Do not construct trail U 1827 which would direct motorized trail hunters to near the ridgetop occupied by the non-motorized CD trail

Close rd 1892C1 and C3 on 9/1 instead of 10/15 to increase elk security in Dalton Mtn EHU which is currently deficient.

Close 1891 and 1833 road system 9/1 instead of 10/15 to increase elk security in Dalton Mtn EHU which is deficient.

Reevaluate all open roads or motorized trails in EHUs with less than 50% elk security to assess why each route must remain open after Sept 1. Move each EHU toward 50% elk security. Commit to no more road or trail construction or reconstruction in these EHUs until the 50% elk security is achieved. Adjust travel plan to obliterate through recontouring all routes closed and not needed in the foreseeable future.

The final decision must decommission year-long closed roads, unless there is an ongoing or scheduled project. Cost of decommissioning is less than properly maintaining a stored road over a short few years. Decommissioned roads will also have less sediment, less risk to failure, far fewer motorized violations, less fragmentation of wildlife habitat and will no longer serve as effective conduits of hunters and others into secure elk security areas. Preventing or enforcing illegal and renegade travel on stored roads closed to motorized use is also difficult to enforce, as they are easy conduits for motorized vehicles, even if a gate or other single closure device is in place. They could intersect other motorized routes which allow motorized users to physically access a otherwise "stored" road. Stored roads are easy conduits to enable non-motorized hunters easy access into otherwise secure big game habitats. By serving as walking, mountain biking or horse travel conduits, stored roads reduce the effectiveness of elk security. We request all roads proposed for "storage" be instead planned for decommissioning unless a scheduled project needing the road is on the planned project schedule, and that the road use be conditional on decommissioning once the project is completed.

Elk Calving and Nursery Standard Objection: **Forest Plan Standard 4b states elk calving grounds and nursery areas will be closed to motorized vehicles during peak use by elk. Calving is usually in late May through mid June and nursery areas are used in late June through July. Forest indicates Standard is met (Appendix A p 10) However, there is no data, maps or information regarding where calving and nursery areas occur in the Blackfoot Travel Plan area. Therefore the Forest cannot substantiate Standard 4b is met.**

There is no indication nor documentation the Forest used available knowledge or data in determining where calving and nursery areas are known to occur. Did the Forest consult or specifically request such calving or nursery site specific information from MDFWP or local forest users? We are certain that some such information is available, but this Standard is dismissed with the above blanket response. Calving areas are usually associated with certain elevations and openings or thinner canopies, and nursery areas are commonly associated with wetter or mesic meadow habitats. Even if there is some variability in specific use areas from year to year, known areas "will be closed during peak use". Even minor human use during key use times likely displaces elk from these biologically preferred areas. The Forest Service routinely has road or route closures for wet road conditions, snowmobiling conflicts, avalanche hazards, and even winter ranges, even though conditions favorable to those conflicts do not occur each and every year. This Standard requires that this travel plan project close such known calving and nursery areas during the expected elk use times. If the Forest cannot assimilate and apply site specific known calving and nursery information, it is appropriate to prohibit motorized use on routes in all associated habitat types and conditions favorable to calving and nursery until such elk use maps can be developed. In addition, prior and existing motorized use may have displaced elk from their traditional calving or nursery areas therefore likely habitats or previously used calving and nursery areas must be given priority for removing motorized uses.

Proposed Resolution: Before a final travel plan is issued, aggregate information and develop maps displaying calving and nursery area information gleaned from local biologists and others. In the Final

Decision ensure all motorized use is prohibited for elk calving and nursery areas for the times specified, with MFWP concurring on accuracy and completeness of maps.

Mountain Goat Habitat Objection: Mountain goats have very restricted habitats and have low ecological amplitude. Therefore all known historic and occupied mountain goat habitat must be protected from motorized disturbance. Forest Plan Big Game Standard 9 states that "Occupied bighorn sheep and mountain goat habitat will be protected during resource activities". The FEIS (Appendix p 11) states that Action Alternatives would provide additional protection. However, motorized routes remain open to public use that are not critical for the management of the Forest, but adversely affect mountain goat habitat. Alternative 4 leaves Stonewall 417 trail open until 10/15 annually and proposes to improve the route, increasing human disturbance. The trail must be closed no later than 9/1 to comply with Forest Plan Big Game Standard 9 states that "Occupied bighorn sheep and mountain goat habitat will be protected during resource activities" as well as comply with 36 CFR 212.55 re minimizing disturbance and disruption to wildlife.

The Standard does not say " additional protection". It states "will be protected". The FEIS discusses the location of mountain goats and their habitat. These habitats need to be fully protected to meet the Forest Plan Big Game Standard 9. FEIS p 380 para 1 discusses the issue of goat poaching off the Stonewall trail 417 and indicates that a 9/1 closure date would reduce risk, which is in better compliance with Standard 9.

Requested Resolution: The Decision must be modified to assure protection of goats from motorized disturbance in all the habitats they currently occupy. Close Stonewall #417 9/1 or yearlong. Close all other motorized routes immediately to or passing through mountain goat habitat yearlong or no later than 9/1.

Grizzly Bear Habitat Objection: In table 1 (S-9) (S-18) the Forest asserts compliance with Forest Plan direction and NCDE Access Management Guidelines for grizzly bear security and habitat with in the recovery zone. However the Forest admits that the Guidelines would not be fully met under any Alternative. Alternative 3 closes some additional routes, and others could be considered. We believe that inclusion of road and trail closures in an alternative developed must indicate which such closures are feasible. Compliance with Guidelines to the extent possible should be the bottom line to meet Forest Plan direction and NCDE Guidelines. Stonewall 417 left open longer and improved in the selected Alternative 4 will increase human use and the trail footprint. In addition a connector trail in the Alice Creek drainage would likely dramatically increase use levels of the trail system in conflict with NCDE guidance. New information about reproducing grizzly bears in the Nevada Mountain to Ogden Mountain (Gehman, Steve. 2014. Carnivore Surveys in the Ogden Mountain to Nevada Creek Region) substantiate the need to close the Gould-Helmville trail to motorized use.

Requested Resolution: We believe to comply with Forest Plan direction and NCDE guidelines that the Decision must close all routes in the recovery zone for the greatest time period displayed in any of the four alternatives. Stonewall 417 should not be improved and the most restrictive time period applied to protect grizzly bears. In addition, the connecting trail in the Alice Creek drainage must be deleted from plans and not be constructed.

Fisheries Habitat Objection: Forest Fisheries Standard 1 states "Maintain water quality and habitat for fish by coordinating Forest activities and by direct habitat improvement. The Forest response states "Unclassified routes added to the system would show improvements as they would receive annual maintenance"

Unclassified routes have not been located, designed or constructed with consideration to water quality element. More likely they are often oversteep, closely parallel stream channels, have no constructed drainage, or cross streams or wet areas. Most would not meet Forest engineering standards for location, design nor construction. Most of these routes cannot meet the most elemental watershed best practices. By leaving these routes open to motorized use, sediment movement and delivery is accelerated and damages fisheries habitat downstream. An estimated 1.7 miles within 150 feet of a stream with 7 stream crossings would be added to the system (FEIS p 138).

Adoption of a user created route is defacto "construction" as it is added as-is to the transportation network . This standard says that needed mitigation actions will be prescribed. Those needs can only be identified if site specific analysis of each route leg has a soil related onsite visit prior to adoption. Routes adopted in sensitive soils, steep lands or located vertically on a slope are almost impossible to mitigate soils, and only at great expense. According to the Forest, those needed funds are not adequate and not projected to increase. We find it irresponsible and in violation of this Standard to adopt user created routes without a detailed analysis of how feasible resource mitigation may be.

Requested Resolution: The Decision must close all unclassified/user created routes to public travel as part of this process. Public use must not be permitted until the route meets Forest Service best management practices, including location, design and construction standards.

Sensitive Soils Objection: Forest Plan Soil Standard 3 states "To reduce sedimentation associated with management activities, the highly sensitive granitic soils, which cover about 20% of the Forest, will have first priority for soil erosion control. However the Forest acknowledges "Granitic soils have not been prioritized for treatment under this project for soil erosion control." (FEIS Appendix A p 18).

Simply the FEIS acknowledges they are not in compliance with the Soils standard 3. Unless in full compliance with special granitic watershed treatments, no route should be authorized for use under this travel plan.

Requested Resolution: All motorized routes constructed or located in granitic soils must be closed via this travel plan until special granitic watershed treatments have been installed and priority commitment to regular maintenance.

Infish Objection: Infish Standards (Appendix A p 24) specifies that for each existing or planned road, the Forest will Minimize roads and landing locations in RHCAs. The Forest has indicated it has minimized roads in RHCAs as part of this process, yet in the Selected Alternative 4, at least 145 miles remain in RHCAs(FEIS P 138). The Forest has not demonstrated the Forest cannot be managed without these roads being open to public travel. In addition, Alternative 4 specifies 0.8 miles of new road construction within RHCAs, and proposes to add to the system 2.7 miles of unclassified routes within RHCAs to the system.

Even Alternative 4 only proposes to reduce sediment from for closed or partially closed roads less than 3%. (285 tons per year with 7.9% less sediment in Alternative 4)(FEIS p 138)

Roads are known conduits of pollution to waterways, and the HNF leads the Region in water pollution. The Helena Independent Record reported that the Helena NF has the most degraded watersheds in the entire Region (which includes Montana and parts of Idaho, North & South Dakota) according to results from the Forest Service's Watershed Condition Framework, (November 26, 2011 http://helenair.com/news/local/helena-watershed-conditions-worst-in-region/article_c737f0f2-17fa-11e1-9f90-001cc4c03286.html). The FEIS (65) notes:

"Approximately thirty percent of the 6th-HUC watersheds covered by the Blackfoot travel planning area contain a stream that is impaired by sediment, including some of the major streams in this area (table 17)...The Blackfoot Headwaters TMDL recommends a 30 percent reduction in system road sediment delivery reduction, and 100 percent for non-system roads (MT DEQ, 2004)."

Requested Resolution: Provide specific justification, including water and fisheries specialist reports, why each road segment in RHCAs within the selected Alternative 4 cannot be closed to the public or be relocated out of the RHCA. For arterial roads within RHCAs that cannot be closed or relocated, evaluate seasonal closures to reduce sedimentation, assure commitment to road drainage or surfaceing . New roads or unclassified routes added within RHCAs must be omitted in the final decision as they violate the intent and direction of Infish, and therefore violate the Forest Plan.

Off Road Travel Objection: All Alternatives allow camping and associated off road travel up to 300 feet from a system road or trail. The selected alternative specifies that no new roads can be constructed, streams crossed, etc.(ROD p 31). We assert allowing the public to drive off-road regardless of site specific conditions is inappropriate within RHCAS, is unenforceable and violates the intent of Infish.

At least one alternative should have included prohibiting all off road travel. Most off road campsites occurs in RHCAs. It is most common that sites are in riparian areas and often very near streams, with existing or potential damage to streambanks. Roads can capture streams and serve as stream channels in the future. There is no inventory of dispersed campsites displayed, with the Forest merely stating without data that most suitable sites are already in use. Because there is no displayed campsite inventory, the public and perhaps the Forest does not know the extent nor the condition of these sites. Furthermore, there is no way to assure new roads won't be constructed by off road use. Is one track a new road? Is two? Are a dozen tracks now a road? Once runoff follows tracks in the road, is it now a road? Simply, this decision allows or facilitates uncontrolled off road use in RHCAs . The Forest Service at all levels has proclaimed RHCAs will have extra attention. However this Travel Plan authorization of off road campsites without site specific designations is irresponsible, unenforceable and illegal. Further, FEIS p 119 reveals that the intent to monitor offroad travel and campsites is: "Effectiveness monitoring would occur based on available staff and funding. " Therefore, while blanket travel off roads for up to 300 feet is permitted by this decision, effectiveness monitoring may or may not occur. With the level of effectiveness monitoring uncertain, adverse effects to sediment delivery, riparian health, streambanks could occur throughout the Blackfoot Travel Plan area. This violates Infish and Forest Plan Fisheries and Watershed Standards.

Suggested Resolution: In the final decision, the Forest must provide firm direction that all offroad travel to dispersed campsites off a constructed route prism will be only those routes signed as a designated route. Each dispersed site to be used will be identified and verified as suitable by a IDT including water and fisheries specialists. Dispersed campsite and travel plan maps will include the location of these dispersed campsites. Before designation, water and fisheries specialists must affirm in writing that such campsites comply with intent of Forest Plan direction, Clean Water Act and Infish.

RHCA and Sediment Objection: S21 Table indicates that the selected Alternative will only reduce sediment delivery in 5 of 11 sediment impaired watersheds. We believe this Travel Planning effort has not complied with direction detailed in "Forest Service and Bureau of Land Management Protocol for Addressing Clean Water Act Section 303d listed waters" (May 1999 Version 2). Further, this Travel Plan decision has failed to demonstrate effort has been made to comply with 75-5-703.

"Development and implementation of total maximum daily loads" which promotes action for 303d impaired streams: "all reasonable land , soil and water conservation practices have been applied". This assertion is supported and documented in FEIS p 117 stating "many of these roads could be considered to cause excessive water pollution (Forest Plan II/25) and thus should be corrected where feasible. Further, the FEIS (p 117) states "Many of the roads that are sources of sediment would remain open during all alternatives." Most delivered sediment results from location, design, construction, lack of proper maintenance and use on roads or trails. This travel plan leaves open 289 miles of road and 63 miles of motorized trail. It adds 2 miles of unclassified routes within RHCAs(S-23), which have not been located, designed or constructed to any standard. Approximately 80 miles of roads are selected to remain open to public use in RHCAs under both alternatives 3 and 4 (S22), sensitive soils and have not been adequately maintained. Use is proposed to be allowed to continue on these roads during wet weather and without adequate maintenance budget.

Proposed Resolution: In the final decision, further reduce the road network, implement seasonal closures to avoid travel during wet periods, close many more roads in sensitive soils and RHCAs, and expand the amount of decommissioning rather than storage of closed roads. Do not authorize new motorized construction within 150 feet of streams as identified on S-20 of Alternative 4. Do not add any of the two miles of unclassified routes currently located in RHCAs to the system.

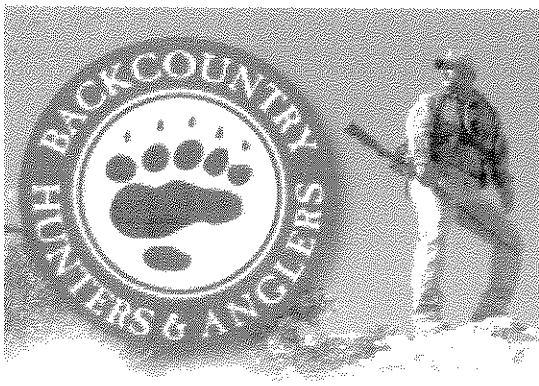
Nevada Mountain Roadless Area Objection: Nevada Mountain Roadless Area (R-1) was designated non-motorized in the 1986 Forest Plan (FEIS p 225). Simply, the Forest has neglected to implement the Forest Plan by not closing the Helmville Gould trail to motorized use. We assert the Forest must close this trail to motorized use to implement the Forest Plan. The R-1 Amendment proposed is both unnecessary, and insensitive to roadless values and elk security, as well as occupied wolverine and grizzly bear habitat. Implementing the non-motorized direction is certainly feasible.

This trail is for the most part user created but was assigned a trail number at some point. This route has serious consequences to the roadless character of Nevada Mountain. It also unnecessarily diminishes elk security that is far below that deemed optimum through this travel planning process. Both Grizzly Bear and Wolverine have been documented using the area. Motorized use also adds unnatural loud sounds to the remaining portion of the roadless area. Reconstructing the trail to accommodate easier and different classes of motorized use will substantially increase levels of human disturbance.

Requested Resolution: Simply implement the 1986 Forest Plan designating Nevada Mountain IRA as non-motorized. There is not sufficient cause nor management necessity to sustain the proposed amendment that would allow the Gould-Helmville trail to remain motorized. Why can this travel planning decisison close system roads , non-system roads and motorized trails that were present and open to public use prior to 1986 Forest Plan, but this particular trail is proposed to be left open simply because there was some level of historic use(FEIS p 225)? This Decision is insensitive to roadless values, elk security, grizzly bear and wolverine, and interagency cooperation.

U-403 Objection: Motorized U-403 (FEIS p 279) near Hwy 279 violates 36 CFR 212.55 and therefore cannot be approved for public use. The ridgetop serves as a migration/connecting corridor for eagles as well as grizzly bears and wolverines. This route is not needed for any valid purpose except motorized recreation, yet has adverse effects on wildlife and research efforts. Motorized use of this trail violates 36 CFR 212.55. Motorized use of this trail dissects important elk security identified by MDFWP.

Requested Resolution: Delete U-403 as a motorized route for public use.



Montana Chapter

Adventure Begins Where the Roads End

1295 Lena Lane
Missoula, MT 59804
March 11, 2013

Ms. Jamie Tompkins
Helena National Forest
1569 Hwy 200
Lincoln, MT 59639
comments-northern-helena-lincoln@fs.fed.us

Subject: Draft Environmental Impact Statement for non-winter Travel Management Planning for the Blackfoot Area of the Helena National Forest

Montana Chapter of Backcountry Hunters and Anglers is comprised of Montana hunters and fishermen who value quality fish and wildlife habitat and maintenance or enhancement of traditional non-motorized hunting and fishing opportunities. Many of our members hunt and fish almost exclusively on public lands, and many focus on the National Forest lands in the Blackfoot drainage. We have a deep commitment to protection of wildlife and fisheries habitats and traditional non-motorized hunting and fishing not only for the present, but to assure equal opportunities for our children and their children.

We request each of our comments be individually and thoroughly addressed in the process and be entered into the public record in their entirety.

The Blackfoot Travel Plan process is a rare opportunity to move the Helena substantially toward meeting the Helena Forest Plan goals, objectives, and standards. In contrast, most day to day Forest Service business has only minor potential effect on movement toward meeting the goals, objectives and standards of the Helena Forest Plan. Forest Plan Direction appropriately focuses heavily on management of the road and trail network for most Forest Plan goals, objectives and Standards. Most of the adverse effects of man's activities on the Forest resources are related to roads, trails, and use associated with them.

BHA Issue: It is imperative that the Forest only retain the most essential roads and trails in choosing a final Plan, and take this opportunity to minimize the road and motorized trail network. This direction is clear in the current National Forest Service Travel Plan Policy (FSM 7710)directing a minimal network, and especially appropriate given the Forest's acknowledgement of transportation maintenance shortfall and even lower budget expectations in the future. The objectives of this travel plan process must thoroughly address " FSM 7710.13. " To determine the minimum road system needed for sustainable public and agency access to achieve the desired conditions in the applicable land management plan; to promote ecosystem health; and to address public safety and efficiency of operations in an environmentally sensitive manner within current and anticipated funding levels" (emphasis added).

BHA Issue: The No Action Alternative (Alt 1) inappropriately includes user created routes as the baseline condition. It is required by NEPA and case law that only the designated transportation system be used as the baseline condition to accurately compare and disclose impacts of each alternative relative to this baseline. We request the No Action Alternative not include un designated routes to describe the Alternative nor compare impacts of the other alternatives.

BHA Issue: We also emphasize that the Travel Management Rule and Executive Orders 16644 and 11989 (EOs) have specific requirements to address. Unlike NEPA, which requires agencies to assess environmental consequences of their decisions but does not obligate agencies to take actions that minimize those consequences, the Travel Management Rule requires the Forest Service to aim to minimize environmental damage when designating routes. Therefore the Helena must consider the "minimization" criteria set out in 36 C.F.R. § 212.55(b) and document how the agency applied the criteria in its designations on the record. The language "with the objective of minimizing" means that the whole goal or purpose of the exercise is to select routes in order to minimize impacts in light of the agency's other duties. Simply listing the criteria and noting that they were considered is not sufficient to meet this standard. Instead, the Forest Service must explain how the minimization criteria were applied in the route designation decisions. Executive Order 11644 directs minimizing effects on resources and other users: (1) Areas and trails shall be located to minimize damage to soil, watershed, vegetation, or other resources of the public lands. (2) Areas and trails shall be located to minimize harassment of wildlife or significant disruption of wildlife habitats. (3) Areas and trails shall be located to minimize conflicts between off-road vehicle use and other existing or proposed recreational uses of the same or neighboring public lands, and to ensure the compatibility of such uses with existing conditions in populated areas, taking into account noise and other factors.

BHA Issue: The application of direction contained in the Travel Planning policy is not thoroughly reviewed or specifically addressed. FSM 7710 is described as " Requires travel analysis (FSH 7709.55, ch. 20) to inform decisions related to identification of the minimum road system (emphasis added) needed for safe and efficient travel and for administration, utilization, and protection of National Forest System (NFS) lands per 36 CFR 212.5(b) and to inform decisions related to the designation of roads, trails, and areas for motor vehicle use per 36 CFR 212.51. The selected final travel plan must comply with the FSM 7710 of minimizing the roads network on the Forest, and a discussion of compliance with the policy included in the NEPA documents including the FEIS.

BHA Issue: Proposing adoption of a Travel Plan preferred alternative that is only compliant with the current Forest Plan elk standard **if** a speculative elk security amendment is adopted is therefore 1) premature, 2) inappropriate and 3) illegal. The resulting NEPA elk security analysis and conclusions for this travel plan inappropriately tiers off this speculative and unapproved elk security amendment that has not had analysis nor public review, and therefore is non-compliant with NEPA. We find the proposed elk security amendment's application inappropriate and without peer review or concurrence by recognized elk scientists (including the authors of the Hillis Paradigm paper), does not incorporate the most current elk science, and has not been validated for being appropriate for use on Blackfoot landscapes. We question why the authors of the Hillis Paradigm have not endorsed the application of the Hillis Paradigm for application in the Blackfoot Travel Plan area? The proposed application is does not reflect current scientific knowledge on elk response to hunting pressure nor all terrain vehicles. For example, Wisdom (2007) found elk displaced up to 0.93 miles from the presence of an all terrain vehicle, yet the Hillis Paradigm includes hunting security areas as little as ½ mile from a open road or ORV trail. We note the authors of the Hillis Paradigm caution that the Paradigm was developed only for densely vegetated west-side Montana landscapes and cautioned its applicability to other landscapes. The proposed application of the Hillis Paradigm becomes even less appropriate as the forest becomes thinner due to tree mortality, which the Forest has acknowledged has and continues to occur. Thus the effectiveness of a 250 acre patch size for elk security is far less effective in thin or thinning stands of canopy when hunters can see much further than the thickly multistoried stands of timber found on the Lolo when the Paradigm was developed. Elk in thinner canopies also feel less secure, move with less disturbance and move further distances away from disturbance.

BHA Issue: Proposing a preferred alternative dependent on a yet unapproved forest plan amendment is premature and does not comply with intent of NFMA nor planning regulations. To meet law, policy, and direction we request either 1) the elk security standards remain unaltered, or that, 2) before any Travel Plan (including the current proposal) is developed, that any elk security amendment proposed utilizes the knowledge of the West's recognized independent elk scientists and use of the most current elk science In

other words, the current process has the cart before the horse, and the process does not meet the National Forest Management Act, current National Forest Planning Regulations nor NEPA.

BHA Issue: Of the two action alternatives, we find that Alternative 3 moves the Blackfoot Travel Plan area closer to meeting Helena Forest Plan direction, including goals, objectives and standards than Alternative 2. We support Alternative 3 as the better of the action alternatives, but believe both action alternatives are deficient in meeting laws, regulations and the Helena Forest Plan's goals, objectives and standards."

We find the Preferred Alternative 2 in conflict with many aspects of the Forest Plan as described in more detail below, and therefore another Alternative must be developed/adopted to meet the current Forest Plan..

Appendix A- Forest Plan Direction

The Forest Plan includes direction for road and trail management and provides important guidance for this project. Forestwide direction that is applicable to this project includes:

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Goal 15 (Forestwide II/2)

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Develop and implement a road management program with road use and travel restrictions that are responsive to resource protection needs and public concerns

BHA Issue: We find that the direction to be "responsive to resource protection needs" has not met. There has been no onsite analysis or trail condition survey of user created trails selected for adoption into the transportation network in Alternative 2, therefore the Forest cannot attest to whether these proposed routes meet Forest Plan requirements, the Clean Water Act, bull trout, INFISH, nor direction for impaired watersheds. A thorough analysis would specifically perform onsite inspections and then describe how each route segment affects water quality standards, riparian health nor site specific wildlife and fisheries effects. How will user created routes not selected for adoption be treated to assure motorized travel will cease and resource impacts from these disturbed areas be rehabilitated?

BHA Issue: We fail to find how permitted use of tracked vehicles on closed routes does not have the same adverse effects as other vehicles on wildlife displacement, user conflict and elk security. We request tracked vehicles be treated the same as other motorized vehicles regarding closures.

BHA Issue: We found both action alternatives non-responsive to several aspects of resource protection needs. For example, we object that dispersed camping is allowed up to 300 feet from any authorized route in both action alternatives. Permitting off route travel over a band of 300 feet each side of the route invites additional resource impacts without site specific potential impact analysis.

A wide range of alternatives would have, in at least one Alternative, considered prohibiting all motorized travel in Inventoried Roadless Areas, except for valid mining activity or restricted access to private land inholdings. .

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Objectives, Facilities (Forestwide II/6)

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Transportation facilities such as roads and trails will be constructed, managed, and maintained to cost effectively meet the Forest land and resource objectives and visitors' needs. The Forests transportation system will be coordinated and integrated with public and private systems to the fullest extent possible....soil and water conservation practices will be applied...to ensure that Forest water quality goals will not be degraded

BHA Issue: Alternative 2 as the preferred Alternative proposes to add user created routes into the system without a site specific analysis of the resource impacts of proposed routes to soil, water and wildlife and fish, current cost of relocation or reconstruction of such routes to bring them in compliance with water quality and fisheries standards and objectives. We also note that adopting an expanded user created

network of routes into the transportation is fiscally irresponsible to the objective of managing for cost effectiveness when elsewhere in the document the Forest acknowledges projection of an even smaller transportation maintenance budget in the future. The expectation of cost effectiveness, meeting resource objectives including soil and water conservation in face of a declining transportation maintenance budget mandate would strongly suggest shrinking the transportation network to be within the expected maintenance budget. Additionally, the Plan ignores the avoidable risk to trail user safety when there is a degraded transportation network larger than the expected maintenance budget.

Forestwide Standards, Facilities

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Road Management (Forestwide II/3132) the criteria to be used for road, trail or area restrictions are safety, resource protection, economics, conflicting uses, facility protection, public support, land management objectives.

BHA Issue: The Preferred Travel Plan Alt 2 ignores the needs for visitor safety, facility protection and economics when the preferred (Alt 2) transportation network is larger than the expected maintenance budget. This plan appears to invite Forest users to use a network that will have inadequate maintenance on most of its routes. The resulting deteriorated condition is contradictory to this Standard with regard to issues of safety and resource protection. This Forest's preferred alternative appears to invite Forest users to use an expanded transportation network that will not have adequate maintenance on most of its routes, which is certain to contain safety hazards and create additional resource impacts.

BHA Issue: We also object to the large number of roads identified for storage rather than decommissioning in Alternative 2. The large number of stored roads is contradictory to watershed and soils objectives, as they remain as substantial risks to failure or chronic bleeding sediment. Page 73 of the DEIS states, "These roads would be self-maintaining in non-use status for up to 20 years". There is no such thing as a "self-maintaining" road, and to our knowledge the Forest Service has no official definition for that maintenance category. We believe most year-long closed roads should be decommissioned, unless there is an ongoing or scheduled project. Cost of decommissioning is less than properly maintaining a stored road over a short few years. Decommissioned roads will also have less sediment, less risk to failure, far fewer motorized violations, less fragmentation of wildlife habitat and will no longer serve as effective conduits of hunters and others into secure elk security areas

BHA Issue: Preventing or enforcing illegal and renegade travel on stored roads closed to motorized use is also difficult to enforce, as they are easy conduits for motorized vehicles, even if a gate or other single closure device is in place. They could intersect other motorized routes which allow motorized users to physically access a otherwise "stored" road. Stored roads are easy conduits to enable non-motorized hunters easy access into otherwise secure big game habitats. By serving as walking, mountain biking or horse travel conduits, stored roads reduce the effectiveness of elk security. We request all roads proposed for "storage" be instead planned for decommissioning unless a scheduled project needing the road is on the planned project schedule, and that the road use be conditional on decommissioning once the project is completed.

We also request that specific road treatments be identified for each road segment included as a "stored' road.

4a. Road management will be implemented to at least maintain big game habitat capability and hunting opportunity. To provide for a first week bull elk harvest that does not exceed 40 percent of the total bull harvest, roads will be managed during the general big game hunting season to maintain open road densities with the following limits. (table)

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The existing hiding cover to open road density ratio should be determined over a large geographic area, such as a timber sale analysis area, a third order drainage, or an elk herd unit.

4a (response)Two out of 8 herd units currently meet Standard 4(a) and only those same

two would continue to meet Standard 4(a) under all action alternatives. This situation would be addressed in a separate Forest Plan amendment; see appendix F for more details regarding the existing standard and the proposed amendment.

BHA Issue: At least one Travel Plan alternative "to address this situation" must include proposed motorized restrictions to meet this standard. There is no DEIS discussion describing what motorized transportation network existed when the Helena Forest Plan was initially approved, nor how close the Blackfoot was to meeting the elk security standard at that time of initial plan implementation. Did previous project decisions since the 1986 Plan approval include timber sales, special use permits and transportation decisions properly address how these decisions address meeting Standard 4A? Or did the failure to address in these project decisions cumulatively aggravate the present depleted elk security situation? If so, then why should the Forest propose or be permitted to now "kick the can down the road" by proposing a more lenient elk security standard instead of correcting the cumulative effects of previous Forest Service decisions that took the Forest further away from meeting the elk security standard?

BHA Issue: The 4a effects discussion inappropriately relies on an assumed adoption proposed elk security amendment that has not benefited from public review nor comment. It appears this reliance predisposes the elk amendment decision as necessary without Alternative elk security amendments being proposed. Relying on a 20+ year old untested "Hillis Paradigm) as the basis for an elk security amendment ignores (1) use of 20 years of elk security research conducted since the late 1980s and 2) caution by the authors of the Hillis Paradigm paper that it was developed for use on west side heavily vegetated landscapes and is not applicable to other areas. In addition, the Helena's acknowledgement that forest vegetation is thinning due to insects and disease lends even more doubt that the Hillis Paradigm is appropriate for a naturally thinner vegetative pattern with larger natural openings and a thinning vegetative condition and trend. Why were no other potential elk vulnerability standards using more recent science neither analyzed nor proposed?

4b. Elk calving grounds and nursery areas will be closed to motorized vehicles during peak use by elk. Calving is usually in late May through mid-June and nursery areas are used in late June through July.

DEIS Response: Standard is met. Elk calving grounds and nursery areas have not been mapped as these areas tend to be discrete and at times variable. While no specific closure dates are proposed, if any nursery grounds or calving areas are identified during this and subsequent projects, they will be protected according to the standard.

BHA Issue: We disagree that the Forest can conclude this standard has been met without providing some assessment of motorized routes to likely elk calving and nursery areas. There is no indication nor documentation the Forest used available knowledge or data in determining where calving and nursery areas are known to occur. Did the Forest consult or specifically request such calving or nursery site specific information from MDFWP or local forest users? We are certain that some such information is available, but this Standard is dismissed with the above blanket response. Calving areas are usually associated with certain elevations and openings or thinner canopies, and nursery areas are commonly associated with wetter or mesic meadow habitats. Even if there is some variability in specific use areas from year to year, known areas "will be closed during peak use". Even minor human use during key use times likely displaces elk from these biologically preferred areas. The Forest Service routinely has road or route closures for wet road conditions, snowmobiling conflicts, avalanche hazards, and even winter ranges, even though conditions favorable to those conflicts do not occur each and every year. This Standard requires that this travel plan project close such known calving and nursery areas during the expected elk use times. If the Forest cannot assimilate and apply site specific known calving and nursery information, it is appropriate to close all associated habitat types and conditions favorable to calving and nursery until such elk use maps can be developed. In addition, prior and existing motorized use may have displaced elk from their traditional calving or nursery areas therefore likely habitats or previously used calving and nursery areas must be given priority for removing motorized uses.

BHA Issue: Christensen, et al (1993) state that key summer range elements are "Wet drainage heads, saddles, riparian habitats, shadowed draws with cool air movement, and wet meadows are some examples of special features. In many areas these features support a disproportionate level of elk use and contribute

significantly to overall elk use of a larger area. Generally, these sites are highly desirable for forage, water, temperature regulation, movement, or a combination. Such sites should be recognized and protected in prescriptions that deal with elk summer range (emphasis added)." Because the Helena indicates they do not have more refined calving and nursery areas identified site specifically, all proposed motorized routes must be screened for the above habitat features and closed during late spring and summer to comply with Standard 4b.

DEIS P 501 "Montana Department of Fish, Wildlife, and Parks data indicate that elk populations in the Blackfoot landscape are either at or near population objectives of the Montana Elk Plan (2004) for the last several years for most of the HDs; or that management challenges are only partially habitat related. That is, elk security is adequate in many HDs. The FP standard is not an accurate indicator of elk security."

BHA Issue: Many of the FWP Hunting Districts included in the Travel Plan area are composed of substantial percentage of private lands closed to most public hunters. Although these private lands defacto serve as hunting security, it is inappropriate to construe that elk security is adequate on the Forest proper. The Forest, to meet its responsibility for land stewardship and public land hunting, is responsible for providing adequate elk security within the boundaries of the Forest. The analysis of current elk security conditions do not convey that the current elk security definition is "outdated" as stated in the DEIS, but simply that the Helena Forest has not managed the transportation network to provide enough elk security. Proposing to adopt a 20 year old untested Hillis Paradigm as the appropriate elk security science is unjustified and unprofessional.

BHA Issue: In addition we challenge the facts concluding that all is well with elk in the Blackfoot. What is the actual bull/cow ratio in these hunting districts relative to FWP elk objectives, especially when only public land is considered? Are all Forest elk populations in the travel planning area above FWP objective? What proportion of the Blackfoot Travel Plan area elk stay on the Forest throughout the hunting season or and what proportion get pushed to private lands closed to the general hunting public? What concurrence did the Forest receive from MDFWP that all elk herds in the Travel Plan Area meet elk objectives established by MDFWP?

DEIS P 501. "In conclusion, Forest Plan big game standard #4a, inaccurately depicts the nature of elk security in the Blackfoot landscape, is insensitive to changing road densities, and places unnecessary and impractical constraints on travel management. Meanwhile, the more recently developed elk security area methodology provides a reasonably accurate picture of elk security across the landscape, is responsive to proposed changes in open road patterns, and correctly directs management to areas that need further attention. The elk security area methodology should replace big game standard 4a as the means of determining the status of elk security in the Blackfoot Travel Planning Area"

BHA Issue: We dispute that hunting security "insensitive to changing road densities" and is less important because elk numbers are at or above objective n some hunting districts. Lyon (1963) long ago established the relationship of road density to elk habitat use. Our BHA hunters find elk moving to private lands even during the archery season as a result of dissected or fragmented habitats, hunting pressure and disturbance from excessive motorized access.

BHA Issue: The Forest has failed to document the "inaccuracy" of the nature of elk security as expressed in the current elk security standard. Why was this Standard the best available science when adopted (with supporting published papers)when the Forest Plan was developed but is now inaccurate? How is the Hillis Paradigm more accurate, given it was developed for heavily vegetated continuous canopy conditions and the authors caution about its applicability elsewhere? We strongly disagree with these conclusions. We also disagree that 4a places "unnecessary and impractical constrains on travel management" Given that the Helena has presented Alternative 3 as a viable alternative demonstrates the Helena could easily make progress in meeting the 4a standard without being "unnecessary and impractical". We also find the statement that the "recently developed elk security area provides a reasonable accurate picture of elk security across the landscape" blatantly ignores available elk science. There is no analysis nor concurrence by the Hillis Paradigm authors that this methodology is applicable to the Helena National Forest vegetative or topographic conditions. There is no discussion of other elk security methodology in this DEIS that may

be more applicable to Helena conditions. We have listed a few of the more recent elk security related papers which should have been analyzed and addressed as part of any elk security amendment process that are more current than the 20+ year old Hillis Paradigm. The evidence that substantial numbers of elk move onto private lands early in hunting seasons demonstrates that current elk security is inadequate in the Blackfoot Travel Plan area.

BHA Issue: The DEIS fails to acknowledge the importance of on-Forest elk and elk carcasses to TES listed grizzly bears, soon-to- be listed wolverine, other sensitive species and other large carnivores as well some birds of prey. Retaining large numbers of elk on the Forest during most of the year also provides retention of this important prey/food base for these species that otherwise follow the prey/food to private lands where potential conflicts with livestock and other private land uses are higher. Such important connection of elk to other species must be evaluated in the biological assessment for these listed species, and must weigh heavily on selection of a final alternative. We request an analysis of the connectedness between the retention of elk on the Forest and the benefits to the grizzly bears, wolverines, other large carnivores and some birds of prey.

4f. Enforcement is a shared responsibility. Enforcement needs will be coordinated with the MDFWP.

4f DEIS response) Travel planning meetings with FWP resulted in coordination discussions between both agencies. Implementation of the travel plan will be coordinated with FWP post decision and prior to and during implementation.

BHA Issue: Enforcement of any travel plan has and will continue to be a major issue affecting both resources as well as non-motorized users.. Past experience by our members is large scale frustration with the lack of effective enforcement of current and past Forest Travel Plans. Motorized closures are regularly breached understating the negative effects of motorized uses on natural resources and non-motorized Forest users. Violators are rarely prosecuted. We request the NEPA process document the historic and realistically expected non-compliance of this proposed travel plan and project the effects of expected non-compliance throughout the NEPA resource effects analysis. We request FEIS documentation of historical recorded travel plan related motorized violation complaints compared to convictions or bond forfeitures resulting from these complaints.

BHA Issue: It is imperative to significantly reduce travel plan non-compliance. It is imperative that travel planning decisions incorporate enforceability before deciding on the transportation network. Trailhead locations, intersections of non-motorized and motorized routes, vegetative cover type along motorized routes are some key analysis features that should be considered before a motorized network is developed. "Implementation of the travel plan will be coordinated with FWP post decision and prior to and during implementation" does not assure an enforceable transportation network. Waiting to engage enforcement expertise until after the travel plan decisions have been made makes enforcement more difficult if not impossible. We do not believe the intent of this standard is met if enforcement coordination does not take place prior to decisions. Therefore we request field level enforcement personnel of both FS and FWP be directly engaged and submit site specific recommended enforcement considerations well before a final decision has been made. According to our research, FWP enforcement agents have not been consulted to date.

4g (response) Some loop trails will be adopted to avoid pioneering of new trails.

BHA Issue: Loop trails are known to lead to considerably more motorized use with expected higher maintenance costs and resulting in greater conflict with resource objectives, higher maintenance costs in an era of declining maintenance budgets, and non-motorized users. If existing user created routes are considered for adoption as part of the loop, it is doubtful if these user created routes meet Forest trail standards for watershed protection nor riparian protection. Have each of these proposed routes been assessed whether they can be brought to FSH trail standard? How will resource protection, including INFISH standards, water quality laws including impaired watersheds be assured until these routes are brought up to these standards? Proper trails grades, drainage features, stream crossing structures and

location are all requirements when constructing a new trail. We object to not having these features in place when adopting a user created route. Declining budgets will likely mean timely relocation or reconstruction to meet trail standards will not occur. Only the continued or increased use and adverse resource impacts will realistically occur. We object to adoption of user created routes until they are reconstructed or relocated to protect watershed or riparian values. Have trail condition surveys been completed on user created routes proposed for adoption, and if so, we request the trail specific display of anticipated work needed to bring them up to FSH trail standards?

4h. The Forest Road Management Program will be developed in conjunction with MFWP and interested groups or individuals

BHA Issue: "Developed in conjunction with MDFWP" requires all aspects of FWP responsibilities be engaged in all aspects of travel planning. This includes enforcement, wildlife, fisheries and would require concurrence with the elk security amendment on which this travel plan is dependent. We find that this "development in conjunction" has not occurred and therefore the process does not follow Forest Plan direction.

Fisheries Standards

1. Maintain quality water and habitat for fish by coordinating Forest activities and by direct habitat improvement (see Forest Wide Standards for riparian)

1(DEIS response) Standard applies. Fish habitat conditions would be maintained or improved by closing high risk roads and removing stream crossings. Unclassified routes added to the system would show improvements as they would not receive annual maintenance.

BHA Issue: We are unable to determine how true this response is because the DEIS does not document which roads are high risk. Why is Alternative 2 advocated when Alternative 3 removes so many more culverts and other stream crossings? How are proposed adoption of unmaintained unclassified routes an improvement to fisheries habitat? Indeed, adopting user created routes without a site specific analysis of their potential adverse effect on fisheries habitat is irresponsible and in conflict with this standard. Also adopting routes that will require reconstruction, relocation or heavy maintenance with expectations of a lower facility budget is irresponsible and not in compliance with this standard. We simply do not believe it is reasonable that adopted trails will be reconstructed, relocated or have heavy maintenance given the expected budget. Each year that such trail work is not completed means fish habitat is damaged from bleeding sediment and unimproved stream crossings.. Elsewhere in this document, the Forest states that available budgets will be prioritized on heavily used primary roads, acknowledging that backcountry and user created motorized trails will not receive necessary facility maintenance, reconstruction nor relocation.

2. Instream activities should allow for maximum protection of spring and fall spawning habitats.

2 (DEIS Response) Standard applies associated with cumulative effects related with road improvements as part of road maintenance program. Any work in streams as a function of road upgrades would require coordination with the state to ensure spawning habitats are not adversely affected. Roads and existing crossings identified under the roads analysis are designed to improve and stabilize road drainage to minimize risk of sediment delivery into the stream system.

BHA Issue: INFISH Standards provide direction for roads within 300 feet of bull trout and WST streams, however, such specific route segments within this 300 foot distance are not displayed, nor resolution of the direction specified. Also the sediment analysis must include all active channel crossing as delivery points, not just stream crossings.

Watershed Guidance Standards

3. A project which causes excessive water pollution, undesirable water yield, soil erosion, or site deterioration will be corrected where feasible, or the project will be re-evaluated or terminated.

3 (DEIS Response) These effects are not anticipated for this project except where improvements are being made to the current condition.

BHA Issues: Adopting a user created motorized route is indeed a project because the adoption of a previously illegitimate route is then classified as a designated route facility with assumptions about future maintenance which will have potential adverse impacts, depending on soils, location, and design for the facility. To meet this standard, any user created route proposed for inclusion in the transportation network requires an on site analysis, including a site condition survey on potential fisheries habitat effects before being adopted. We find that proposed adoption of user created trails without site specific analysis as to how these routes meet resource concerns are met in violation of Executive Order 11644, which states "Sec. 9. Special Protection of the Public Lands. (a) Notwithstanding the provisions of Section 3 of this Order, the respective agency head shall, whenever he determines that the use of off-road vehicles will cause or is causing considerable adverse effects on the soil, vegetation, wildlife, wildlife habitat or cultural or historic resources of particular areas or trails of the public lands, immediately close such areas or trails to the type of off-road vehicle causing such effects, until such time as he determines that such adverse effects have been eliminated and that measures have been implemented to prevent future recurrence.

BHA Issue: We object to adoption of user created of routes that have disproportionately greater conflict with resource objectives, higher maintenance costs in an era of declining maintenance budgets, and conflicts with non-motorized users. If existing user created routes are considered for adoption, it is doubtful if these user created routes meet Forest trail standards for watershed protection nor riparian protection. Trails grades, drainage features, stream crossing structures and location are all considerations when constructing a new trail, but are not features considered when adopting a user created route. Declining budgets will likely mean relocation or reconstruction to meet trail standards will not occur. Only the use and associated resource impacts from that continued use will realistically occur. To comply with EO 11644 we object to adoption of user created routes until they are reconstructed or relocated to protect watershed or riparian values, and meet trail or road design standards as well as water quality standards .

Soils Guidance Standards

1. In accordance with NFMA, RPA, and Multiple Use Sustained Yield Act, all management activities will be planned to sustain site productivity. During project analysis, ground disturbing activities will be reviewed and needed mitigating actions prescribed.

1 (DEIS Response)
Most of the proposed activities will take place on lands dedicated to transportation uses. New roads or trails will be constructed with appropriate mitigations to reduce impacts to soils such as soil erosion and compaction. The National Forest Roads and Trails Act of 1964 authorize the Forest Service to establish and maintain a network of roads and trails on National Forest System Lands. The Forest Service has the authority to withdraw lands from vegetation production and related soil productivity on National Forest for dedication to road and trail corridors for transportation and access uses. Helena National Forest Plan guidance to sustain soil productivity when planning management activities would not be applicable to this decision to open, close or create new travel routes.

BHA Issue: Adoption of a user created route is defacto "construction" as it is added as-is to the transportation network . This standard says that needed mitigation actions will be prescribed. Those needs can only be identified if site specific analysis of each route leg has a soil related onsite visit prior to adoption. Routes adopted in sensitive soils, steep lands or located vertically on a slope are almost impossible to mitigate soils, and only at great expense. According to the Forest, those needed funds are not adequate and not projected to increase. We find it irresponsible and in violation of this Standard to adopt user created routes without a detailed analysis of how feasible resource mitigation may be.

2. Areas of decomposed granite soils will be identified and erosion control measures planned prior to any ground disturbing activities.

2 (DEIS Response) Alternative 2 does not move in the direction outlined in the Helena National Forest's Plan when managing for preservation of Granitic soils. Areas with Granitic soils have not received emphasis for road closure and decommissioning and erosion control efforts. However, action alternatives would not result in an increase of routes open to wheeled motorized use occurring on Granitic soils.

BHA Issue: Continued motorized use on motorized routes is a ground disturbing activity, and therefore subject to the requirement to identify these route segments and plan erosion control measures before these routes are included in the open motorized route network. The DEIS response above indicates the Forest has not given special attention to route selection based on sensitive soils. We believe at least one alternative should analyze closing most non-essential routes in sensitive soils to motorized use to meet Forest Plan direction, including this Standard.

3. To reduce sedimentation associated with management activities, the highly sensitive granitic soils, which cover about 20 percent of the Forest, will have first priority for soil erosion control.

3 (DEIS Response) New roads or trails will be constructed with appropriate mitigations to reduce impacts to soils such as soil erosion and compaction. Erosion control on transportation routes will take place on all routes through the application of erosion control BMPs.

BHA Issue: We fail to see how "self maintaining" a closed motorized route meets this standard, especially in granitics. Granitics are extremely erosive and rather extensive methods are applied to insure erosion is minimized even on closed roads. Any closed road in granitics cannot be simply closed in its current condition and assumed to not continue to bleed sediment nor accelerate erosion on disturbed areas. To meet this standard any closed route in granitics requires state-of-the-art erosion control measures be highly prioritized during implemention.

Forestwide Road Standards

1. Road construction and reconstruction will be the minimum density, cost, and standard necessary for the intended need, user safety, and resource protection.

1 (DEIS Response Where short segments of road or motorized trail are identified, they will be designed to current standards as set forth in Forest Service handbook and manual direction FSM 7700, FSH 7709.55 and FSH 7709.56 and will be in compliance with the Streamside Management Zone Law 77-5-301 (2001), Water Quality Best Management Practicesfor Montana Forests (2001) (BMPs) and the USDA National Best Management Practices for Water Quality Management on National Forest Land (April 2012) SMZ and BMP documents are included in the project record.

BHA Issue: The Blackfoot travel plan proposes to adopt or maintain open travel routes far in excess of realistic budget projections to maintain or reconstruct. It is realistic to assume that with declining budgets that any reconstruction will be minimal and road maintenance will decline. As a result the Forest must project that compliance with the Streamside Management Zone law, Water Quality Best Management Pracitces for Montana Forests, USDA National Best Management Practices for Water Quality Management on National Forest Land will not be met with the planned transportation network. To meet these laws, no additions to the transportation system can be adopted, the final decision must reduce the transportation network to the quanity that provides for proper reconstruction and maintenance.

Forestwide Road Management Standards

1. The Helena National Forest will generally be open to vehicles except for roads, trails, or areas that may be restricted. (See Forest Visitor Map for specific information.) The Forest Road Management Program will be used to review, evaluate, and implement the goals and standards of the management areas in the Forest Plan with regard to road, trail, and area wide motorized vehicle use.
This standard was amended based on the 2001 TriState Off-Highway Vehicle Decision (see Summary of Forest Plan Amendment20 at the beginning of appendix A.

1(DEIS Response) In all alternatives, access to the Helena National Forest will generally be open to vehicles except for roads and trails that may be restricted as defined in the road and trail management objective. Regardless of the alternative selected, the Forest Road Management Program will be used to implement the goals and standards of the management areas in the forest plan with regard to road, trail and area wide motorized vehicle use.

BHA Issue: " In all alternatives, access to the Helena National Forest will generally be open to vehicles except for roads and trails that may be restricted as defined in the road and trail management objective." This statement does not reflect the Tristate Off-Highway Vehicle Decision that motorized use will be restricted to roads and trails and motorized travel off designated routes will not be permitted. The Helena Standard (before amendment) does not meet National direction. Amendment 20 direction is ignored when the statement is made that the Helena "Forest will be generally be open to vehicles".

4. Enforcement of the Road Management Program will be a high priority. Weekend patrolling, signing, gating, obliterating unnecessary roads, and public education will be used to improve enforcement. Enforcement will be coordinated with the MDFWP and other State and local agencies.

4 (DEIS Response) Law enforcement would take necessary action to enforcement of the road management program.

BHA Issue: The effectiveness of enforcement of travel plan restrictions has and will continue to be a major issue affecting both resources as well as non-motorized users. Past experience by our members is large scale frustration with the lack of effective enforcement of current and past restrictions in the Blackfoot Travel Plan area. Closures are regularly breached understating the negative effects on natural resources and non-motorized Forest users. Violators are rarely prosecuted. We request the NEPA process document the realistically expected non-compliance of this travel plan and calculate this expected non-compliance through out the NEPA resource effects analysis.

BHA Issue: A Travel planning decision process must incorporate enforceability before deciding on the transportation network. Trailhead locations, intersections of non-motorized and motorized routes, vegetative cover type along motorized routes are some key analysis features that should be considered before a motorized network is developed. Waiting to engage enforcement expertise until after the travel plan decisions have been made makes enforcement more difficult if not impossible. We request enforcement of both FS and FWP be directly engaged and submit recommended enforcement considerations well before a final decision has been made.

Forestwide Road Maintenance Standards

1. Roads will be maintained in accordance with direction provided in FSH 7709.15 (Transportation System Maintenance Handbook) and will be at a level commensurate with the need for the following operational objectives: resource protection, road investment protection, user safety, user comfort, and travel efficiency.

1 (DEIS Response) Maintenance dollars are dispersed annually and are generally directed to higher use roads and to specific areas where there is a need identified to prevent resource damage. The funding we receive is never adequate to cover the cost of maintenance to maintain roads to a suitable standard. We do not anticipate an increase in funding and in fact anticipate a decrease in maintenance funding.

BHA Issue: This standard does not say this standard will be met only on higher use roads or where resource damage has been identified. Simply, with inadequate maintenance budget, the road network must shrink to a level commensurate with the maintenance budget.

Forestwide Trail Standards

1. Trail management, such as trail standards, maintenance schedules, funding, trail use, construction, and reconstruction, will follow the guidance in Trails Management Handbook, FSH 2309.18.

1 (DEIS Response) All trails approved in the Blackfoot Travel Plan would be constructed and maintained in compliance with existing FS trail standards.

BHA Issue: " Maintenance dollars are dispersed annually and are generally directed to higher use roads and to specific areas where there is a need identified to prevent resource damage. The funding we receive is never adequate to cover the cost of maintenance to maintain roads to a suitable standard. We do not anticipate an increase in funding and in fact anticipate a decrease in maintenance funding." We fail to see how the Helena can meet this standard under Alternative 2 when the above Helena quote describes the bleak funding outlook. To meet this standard, the amount of motorized trail routes need to be substantially reduced in this travel plan. Alternative 3 moves the Blackfoot Travel Plan area in a responsible direction regarding this standard. The Forest is ignoring this standard when it proposes to adopt user created trails it well acknowledges it will not be able to FSH 2309.18 direction. Why was an alternative not developed that included a minimum road and motorized trail budget that was commensurate with anticipated maintenance budget?

3. Trail construction/reconstruction will be designed and accomplished to be compatible with the recreation settings and management area goals.

3 (DEIS Response) All trails approved in the Blackfoot Travel Plan would be constructed and maintained in compliance with existing FS trail standards.

BHA Issue: "Maintenance dollars are dispersed annually and are generally directed to higher use roads and to specific areas where there is a need identified to prevent resource damage. The funding we receive is never adequate to cover the cost of maintenance to maintain roads to a suitable standard. We do not anticipate an increase in funding and in fact anticipate a decrease in maintenance funding." We fail to see how the Helena can meet FS trail standards when the above Helena quote describes the funding outlook. To address the insufficient budget, the amount of motorized trail routes need to be substantially reduced to a level where the FS Trail standards can be met. To do otherwise is not meeting user safety nor resource protection needs.

Recreation Management

RM1. Design, construct, and operate recreation facilities, including trails and dispersed sites, in a manner that does not retard or prevent attainment of the Riparian Management Objectives and avoids adverse effects on inland native fish. Complete watershed analysis prior to construction of now recreation facilities in Riparian Habitat Conservation Areas within priority watersheds. For existing recreation facilities inside Riparian Habitat Conservation Areas, assure that the facilities or use of the facilities would not prevent attainment of Riparian Management Objectives or adversely affect inland native fish. Relocate or close recreation facilities where Riparian Management Objectives cannot be met or adverse effects on inland native fish cannot be avoided.

RM 1 (DEIS Response) Standard applies as dispersed campsites are associated with the current transportation system and they occur within the INFISH buffer. Dispersed campsites in the RHCA will be monitored, if they are found to prevent attainment of RMOs, would be closed and rehabilitated.

BHA Issue: The above DEIS response fails to address how the proposed travel plan insures trails located in or adjacent to riparian areas are meeting the Riparian Management Objectives or Recreation Management Standard 1. Without Forest Service site specific analysis and data including a trail condition survey, we cannot address individual routes. However, prior to adoption of a trail network, this Standard requires before completion of this travel plan that the Forest Service complete a site specific analysis of existing trail routes, as well as proposed adoption of user created routes as it pertains to meeting Riparian Management Objectives. The presence of a trail in the riparian area is subject to erosion, trail widening, wet conditions, compaction, displacement of wildlife from a key habitat and subjects the fish population to heavier fishing pressure. In some cases these streams could support bull trout or westslope cutthroat, including spawning activity, for which a 300 foot RHCA would apply. A motorized trail encourages

dispersed camping, most commonly in a Riparian Habitat Conservation Area, and therefore is subject to site specific designation or other enforceable controls to meet Riparian Management objectives.

BHA Issue: The proposal to allow off route travel of up to 300 feet from a motorized route for camping invites and appears to legitimize threats to the Riparian Management Objectives. How does the Helena propose to assure that future or existing campsites don't threaten RMOS?

DEIS Appendix B

BHA Issue: DEIS Appendix B List of Contributors lists the individual name of the signee of a letter representing a organization, but in many cases fails to list the organization that comment represented. We note that signees of many letters representing motorized user interests do indeed list the organization the comment came from, but conservation organizations are not listed. We find the disparity disconcerting and perhaps tilts the analysis to favor motorized interests. We request that the comments from organizations such as Montana Chapter of Backcountry Hunters and Anglers be attributable to the groups and not only to the individual signing the letter.

Montana Chapter Backcountry Hunters and Anglers was also omitted from the list of contributors (Chapter 4 DEIS) to this process, despite having sent scoping letters in October 2009, on November 22, 2010, and again on November 22, 2012. We request the acknowledgement our written contributions in the FEIS.

Appendix C Road and Trail detail by Alternative

It is required that all motorized routes in Inventoried Roadless Areas be analyzed for their impacts on each special roadless area attributes as proposed in each Alternative. It is required by the Travel Planning Rule and Executive Orders that impact of travel plans on Roadless Areas be described by Alternative, including the number of miles of motorized routes by type by Alternative.

BHA Issue: Continental Divide National Scenic Trail. CDNST National Management direction discourages motorized use with some exceptions. One constraint on that direction is that such type of motorized use must have occurred prior to trail designation which occurred in 1978. Therefore, unless the Forest can demonstrate that the trail had the same type of motorized use in 1978, it cannot be allowed now. 1978 is prior to ATVs so only motorcycles could be considered to meet this direction and only if they do not impair the purpose of the Trail. The CDNST trail for the most part is along ridgetops which is the most adverse location to elk security as it allows motorized hunters to access the drainage heads which are preferred habitat for elk. Motorized use along this trail system disproportionately displaces elk from drainage heads as their preferred summer habitats. Therefore the only treatment of the Trail as proposed in Alternative 3 is appropriate. However, eliminating all motorized use should be considered as best meeting CDNST direction.

BHA Issue: We find the recent comments by Ranger Kamps addressing CDNST national policy as a "consideration" and not direction very disturbing. According the Feb 21 Missoula Independent Kamps is attributed to saying "Forest Service policy—not legislation, just policy—says that where possible we should manage the [CDNST] as non-motorized," says Kamps, referring to the Forest Service's 2009 comprehensive plan for CDNST management. "Policy gives us a little direction as to how we should be considering management, but it is not a 'thou shalt' policy." Kamps' interpretation, however, appears to conflict with the law. According to the 1978 congressional legislation that created the CDT, "the use of motorized vehicles by the general public along any national scenic trail shall be prohibited," with exceptions for emergency vehicles, certain private landowners and motor vehicles that were allowed on trail prior to the legislation's passage.

BHA Issue: Flesher Pass to Stemple Pass-Trail 440. Along with decommissioning all the surrounding roads designated under the numbers 1827 and 1828, Alternative 3 ensures that Trail 440 between Flesher Pass and Stemple Pass will not only provide excellent non-motorized recreation, but will increase and enhance the critical habitat security that the area provides for elk during the general hunting season.

BHA Issue: Nevada Mountain Roadless Area. Protecting the non-motorized integrity of the Nevada Mountain Roadless area should be paramount. Travel management violations routinely occur; with OHV's traveling as far as the top of Nevada Mountain. M of those violations originate by OHV users who are also accessing the motorized Gould-Helmville Trail. There are also occasional violations by OHV's traveling south from Black Mountain along the CDNST. These violations are unacceptable given that OHV users currently have access to almost the entire Gould-Helmville Trail. Closing the Gould-Helmville Trail to motorized use would not only improve the roadless character of the area, but more importantly remove much of the temptation for OHV users to violate the non-motorized restriction for the Nevada Mountain Area.

We advocate eliminating motorcycle trail use from the Nevada Creek Roadless area. Hunters using motorcycles are able to easily penetrate to the heart of this roadless area which otherwise could be restored to one of the only remaining large elk security areas south of Highway 200.

BHA Issue: Gould-Helmville Trail. Elk security adjacent to the Gould-Helmville Trail has been negatively impacted by OHV use for a long-time. We support Alternative 3, which would close the Gould-Helmville Trail and Trail 487 to motorized use and decommission Road U417 which could dramatically improve fall hunting and create fantastic non-motorized recreational corridor for hikers, stock users and mountain bikers. Closing the Gould-Helmville Trail to motorized use would not only improve the roadless character of the area, but more importantly remove much of the temptation for OHV users to violate the non-motorized restriction for the Nevada Mountain Area.

BHA Issue: Baldy Mountain Area. We support the Alternative 3 proposed decommissioning of many roads (all the spur roads off of Roads 1826 and FS 1838) and seasonal closures on Roads 1826 and 1838 in the Baldy Mountain area. This area has rampant OHV abuse and travel violations. Such decommissioning would also dramatically improve elk security and therefore also provide additional "walk-in" hunting opportunities.

BHA Issue: Canyon Creek routes. We support proposed decommissioning of all the old roads in the headwaters of Canyon Creek as proposed in Alternative 3 . These roads have served as conduits for illegal OHV use all along the CDT between Flesher Pass and Rogers Pass. Decommissioning is the most logical step to take with these roads, as they will likely never be used for timber harvesting in the future due to the topography and large volume of now dead and rotting timber. The roads in question include: U-4089; 1819; 1819-A1; 1819-B1 and 1819-D1.

BHA Issue: Flesher Pass to Stemple Pass- Close Trail 440 to motorized use, along with decommissioning all the surrounding roads designated under the numbers 1827 and 1828. Alternative 3 ensures that Trail 440 between Flesher Pass and Stemple Pass will not only provide excellent non-motorized recreation, but will increase and enhance the critical habitat security that the area provides for elk during the general hunting season.

BHA Issue: Bartlett Creek (T15NR7W), most of the roads in the 13 sections between Alice Creek and Roger's Pass should be oliterated or decommissioned. Under Alt 2 this network would be open to ATVs for the months of July and August. TNC acquired this ground from Plum Creek. It has a maze of roads but includes some great habitat. Alt 3 calls for obliterating many of these roads for which we strongly support.

BHA Issue: U-417. We are strongly opposed to the proposal to adopt **u-417** connecting Poorman and Gould-Helmville. This further fragments elk habitat as encourages even more motorized use at the expense of non-motorized users and their experience.

BHA Issue: U-411. We are strongly opposed to adoption of U-411 in the Black Diamond drainage. There is no need for this dead-end route to be added to the system. It is a primary detriment to elk security

as dissects otherwise good elk habitat at relatively low elevation. In addition we support closure and decommissioning of all roads in the Black Diamond drainage. The road network on the east side of Black Diamond seriously compromises elk habitat in the drainage. The Black Diamond-Hogum-Horsefly drainage complex could serve as important low-mid elevation elk security area if these access routes were decommissioned.

BHA Issue: Stonewall Lookout We support a Sept 1 motorized closure of routes in this area principally to provide wildlife security for all big game including mountain goats.

BHA Issue: We believe there are valid places for mountain bikes in the Blackfoot Travel area on existing trails and roads. We are concerned about both the resource impacts, user conflicts and adding even more maintenance workload to an underfunded trail maintenance budget. Therefore we oppose a separate mountain bike system as proposed. We believe human hunter and non-hunter use on a new mountain bike trail can cause significant elk displacement in a drainage already short of high quality security. Many may envision mountain bikers in bright lycra cruising under a forest canopy. However these same trail improvements would allow hunters to penetrate deep into otherwise secure areas via mountain bike, rendering the distance factor in elk security far less effective. Therefore, mountain bike trails add to the dissection of elk habitat and elk security during both the archery and general seasons. How is mountain bike access incorporated into the elk habitat and elk vulnerability analysis?

DEIS Appendix D Cumulative Effects

BHA Issue: Many of the ongoing and anticipated activities in the project area influence both the effects of motorized uses in the project area ,as well as wildlife security elements. Simply listing the project does not describe its contribution to cumulative effects of human activities. There is no inadequate analysis and discussion of any of these specific effects described nor documented as required by NEPA. For example, roads on State and private adjacent to the Forest or permitted on National Forest to individuals (eg George Kamps road) have wildlife displacement effects not accounted for nor documented as connected actions. How have off-Forest roads and trails been analyzed as to their cumulative effects of motorized disturbance on elk or the access they provide to Forest elk habitat? In addition, expected forest vegetative management (for "forest health", timber salvage, thinning) can have adverse effects on wildlife habitat components for a host of wildlife but also elk security. How will vegetative patches proposed to serve as elk security be managed differently to protect their future elk security values? These relationships are not described nor documented. A forest cover patch containing significant dead and/or down material continues to serve some role as cover. This is especially true with large quantities of mature down wood component as it greatly enhances both cover and a travel deterrent to hunters. In contrast, when salvaged or harvested, there is both less cover and easy conduits for hunters via skid trails, etc. Given the trend line of a thinner forest, how will planned timber management and salvage affect elk security? In addition, there is considerable evidence that mechanical forest management activities facilitates illegal motorized use via skid trails, closed roads or more open forest. All cumulative effects must be analyzed and documented as part of the cumulative effects analysis to comply with NEPA.

DEIS Appendix F- Proposed Elk Security Amendment

The Helena has some quality backcountry such as the Scapegoat and parts of the Elkhorn mountains. However, most of the few remaining secure, undeveloped parts of the Helena within the Blackfoot Travel Plan area are unroaded simply because they are overly steep, rocky and otherwise unproductive for both timber and elk. Studies of elk habitat selection document that elk, like people, select for gentler terrain and spend little time on terrain over 30% slopes. However, much of the lower, gentler, and often most productive elk habitats of the Helena have been roaded, have been laced by ORV routes, or both. In the last 25 years the problem has been exacerbated by a proliferation of off road vehicle routes, both authorized and unauthorized renegade routes. In addition the frequent and extensive violations of existing motorized restrictions render much of the Helena's most productive elk habitats seriously compromised, particularly when need to serve as secure habitats during the hunting seasons.

The Helena's elk security habitat condition now is largely dissected and often marginally or insufficiently small during both the archery and general hunting seasons. This deteriorated security condition has adverse impacts on elk security now and likely will have even worse effects in the future. Hunters on the Helena are already experiencing major displacement of elk from public lands onto private lands, where general hunter access is most often denied. This is a problem not unique to the Helena, as it is already a documented phenomenon on the Beaverhead-Deerlodge, the Gallatin and the Lewis and Clark Forests. An example of the behavioral response of elk to human disturbance was well documented in Montana by Grigg (2007), who documented elk moving from the roaded Taylor Fork to the private Sun Ranch early in the archery season. Similar movements have been documented elseswhere, including the Bitterroot National Forest. Movements early in the archery season are also occurring within this travel plan analysis area. In addition, mature bulls, a favorite hunter pursuit, are increasingly a smaller percentage of the herd due to lack of security on public lands. A mature bull component is important to breeding and breeding timing that results in calves mature enough to survive their first winter. Without protecting and enhancing hunting security, the existing 5 week general season will trend toward more permits-only hunting or shortened seasons, or both. The Elkhorns area, for example, has mature bulls, but also a very limited number of permits.

BHA Issue: Control of herd numbers can only occur with hunting if cow elk remain on public lands throughout the hunting season to facilitate adequate harvest. Displacement of cow elk to private lands during the hunting season is already occurring and seriously reduces effective population control capability by MDFWP. This situation of elk displacement from the Forest to private lands explains much of why some elk herd units are above objective, rather than the conclusion by the Forest that present security is adequate . The response by responsible land managers to these elk related issues must be to enhance, rather than lessen the quantity and quality of secure elk habitat, especially in the Blackfoot Travel Plan area. We believe that Helena land managers have ample opportunity as well as the obligation to restore large scale elk security areas.

BHA Issue: The importance of elk security during archery seasons cannot be understated. Often public land elk have been displaced to private lands by archery hunting activities even before general elk seasons have begun as documented on the MDFWP studies on the Gallatin National Forest (Grigg, 2007). Furthermore, Forest Service studies of elk in the Blue Mountains of Oregon (Wisdom, et al, 2005) have documented by telemetry under carefully controlled conditions that elk are displaced as far as .93 miles by the presence of motorized vehicles.

BHA Issue: The Helena has inappropriately chosen to focus on the Hillis Paradigm as guidance to managing elk security on the Forest in the future, under a proposed Forest Plan Elk Security Amendment. However, the values used and its application to the Helena is unvalidated and lacks scientific scrutiny. This concept lacks any scientific validation as to the adequacy of the patch size (250 acres) or the distance from motorized routes (1/2 mile). The Hillis Paradigm, never validated, was developed for Westside Forest conditions, primarily the Lolo. The Lolo's elk habitats are for the most part, much more continous canopy, and thicker, multistoried canopies often with a dense, high underbrush understory of such shrubs as alder, mountain maple, and ninebark. By contrast, the Helena forests are generally discontinuous, are dominiated by single story, open, dry forests with very low understories. The Lolo's terrain is also generally much steeper and dissected. We conclude it is inappropriate use of elk vulnerability science to adopt the Hillis Paradigm without specific validation for the Helena.

The ½ mile-250 acre patch criteria discounts the reality that significant numbers of elk hunters do indeed walk more than ½ mile from a road (a 10 minute walk on easy terrain) and would displace from a 250 acre patch (about 1/3 square mile) in less than an hour. We believe if you tell a serious elk hunter there is a 250 acre patch of unbroken timber habitat only ½ mile from a road, many, if not most, would willingly walk to such "secure" elk habitat. Blanket application of the Hillis Paradigm also fails to consider the presence of old roadbeds, trails or gentle terrain common to the Helena which facilitate easier and quicker travel to a cover patch. In summary, we conclude the Hillis Paradigm is overly simplistic, unvalidated and inappropriate for the Helena to use as a big game vulnerability standard.

BHA Issue: Wisdom (2007) found elk avoiding the presence of off road vehicles up to nearly a mile away. What validation has occurred to demonstrate that most elk remain in Blackfoot Travel Plan area cover patches only ½ mile away (Hillis Paradigm) from the presence of motor vehicles during the hunting season? What has the Helena done to demonstrate the quality of elk security given the terrain features present or lack thereof, vertical relationship of open roads to the cover patch, ease of access by hunters due to open vegetation or old road prisms, or the density of the cover patch?

BHA Issue: The Forest has acknowledged the Forest is thinning due to insects, disease, and other factors. The forest canopy is also discontinuous with many natural non-forested openings. In addition some poor regeneration in previously harvested and thinned forest stands have further reduced large patches of heavy multistoried cover. Christensen et al (1993) indicate that cover analysis is justified when "Today, detailed analyses of hiding and thermal habitat components are not considered as essential except in habitats with high natural levels of openings or where conifer cover is at a premium". (emphasis added" Given that the Blackfoot Travel Plan area fits this description of "high natural natural levels of openings or where conifer cover is at a premium" we request a thorough analysis of hiding and thermal cover as it relates to elk hiding cover. We would expect that any patch attributable to elk security during hunting season to be examined as to its cover composition. What criteria is used in describing elk cover and how was it analyzed and applied to each potential cover patch?

BHA Issue: Forests are cautioned by elk biologists to use site specific knowledge with state agency personnel in using models such as the Hillis Paradigm. Christensen, et al (1993) urges "In discussions with biologists in Idaho and Montana, there appears to be a gradient from west to east regarding the significance of cover in this equation. In northern Idaho, it appears that open road density, hunter numbers, and topographic roughness are the major considerations (Unsworth and others 1993). Cover is so ubiquitous that security can be controlled with road management alone. As you move east into Montana and over the Continental Divide, cover considerations become more important because cover is less abundant and less contiguous. It is extremely important for forest biologists to work with their State counterparts in developing criteria for security areas, including their size, extent, distance from roads, and vegetative characteristics. Data from radio telemetry studies are the best source for developing such criteria". Therefore we request the Helena provide the radio telemetry data or other validation of the Hillis Paradigm for use in the Blackfoot Travel Plan area.

BHA Issue: Most knowledgeable elk hunters know where the remaining elk security is on the Helena. Any patch of timber less than a mile from a road or ATV trail will have hunters in that habitat nearly every day during the season. It is our estimate that a solo hunter can hunt thru a 250 acre patch of cover (1/3 square mile) in less than an hour and likely move most or all elk from this cover patch, especially when other cover is not contiguous to the 250 acre patch. How many times and at what frequency is an elk herd disturbed before it seeks private land? Based on the eastside forest Grigg study, this threshold occurred in the Taylor Fork during the archery season and before general season even began. As the Forest chooses to manage elk security at minimum threshold levels, elk increasingly are crowded into these remaining "secure" areas, which concentrates hunting pressure into these areas as well. What is the effect of crowding both elk and hunters into the same "secure" areas? In addition, what is the hunting experience for those hunters who value or seek solitude, and do not seek to compete for getting to these secure areas before other hunters? What validation has the Helena done to demonstrate that elk stay within a 250 acre isolated patch when hunters seek elk in the same patch?

BHA Issue: A valuable measure of successful elk security on the Helena is whether the majority of elk stay on the Forest thru the general hunting season, or until driven to private land due to snow depth on the Forest. Simply, there are far too many motorized routes open on Helena, with little attention to insuring there are sufficient numbers of large blocks of secure elk habitat on productive lands within the Helena. The open nature of the Helena National Forest strongly suggests that the Forest should manage for non-motorized landscapes, rather than patches of cover at minimum distances from open roads to be successful in retaining elk on the Forest throughout the hunting season. .

BHA Issue: Backcountry Hunters and Anglers advocates the Helena establish 25,000-50,000 acre blocks of good elk habitat free of motorized routes during both the archery and general hunting seasons. This size

of motor-free block of secure habitat is necessary to assure the center of such a block is at least 3 miles from a motorized route. Three miles distance can be walked on a closed road system or trail in about an hour, depending on topography. We advocate one or more such blocks of elk security should be established across the Helena, in each elk habitat unit, as determined by FWP.

BHA Issue: Given the high demand for elk hunting in Montana, the high rate of participation by Montana citizens, the importance of elk hunting as a driver to the Montana economy, we feel strongly that elk hunting economic values can compete with any timber harvest or motorized recreation that would detract from elk security. Has the Helena calculated the economic impact of diminishing hunter participation as elk leave public land in favor of private lands unavailable to most hunters? How does the elk and other big game hunting activity compare with other visitor use on the Travel Plan Area? How does the net economic benefit of public land elk hunting on the Helena compare with timber harvest, cattle grazing or off road motorized recreation?

BHA Issue: We question the catalyst for proposing to modify the definition of elk security. Please provide the documentation that elk or public land elk hunting will benefit from the proposed elk security standard. Is it to make it easier to keep motorized routes on the Helena? We question why a Forest Standard would be proposed for only for two travel plan areas on the Forest rather than Forestwide. The Blackfoot Travel Plan and the High Divide Travel Plans are still in the draft stage and can be modified to close motorized routes for large blocks of land. Any elk security proposal to modify the Forest Plan must be supported by the best available science including all current elk research results, including that on the Gallatin and Starkey Experiment Station.

There are also appropriate comprehensive discussions of elk security variables are discussed in the following papers:

Hershey, Terry. 2011. Implications of Back-country travel on key big game summer range in the Bighorn-Weitas Roadless Area, Clearwater NF.

Backcountry Hunters and Anglers. 2011 Cumulative and Universal: ATV Impacts on the Landscape and Wildlife.

Christensen, Alan, J Lyon, and J. Unsworth. 1993. Elk Management in the Northern Region: Considerations in Forest Plan Updates or Revisions. General Technical Report INT 303.

Lyon, J. 1983. Road Density Models describing habitat effectiveness for elk. Journal Forestry 81(9) 592-594, 613.i

Proffitt, K.M., JL Grigg, K.L. Hamlin, RA Garrott. 2009. Contrasting effects of wolves and hunters on elk behavioral responses to predation risk. Journal of Wildlife Management 73(3) 345-356.

Gucinski, H,, M. Furniss, R Ziemer, and M. Brooke. 2001. Forest Roads: A Synthesis of Scientific Information. USDA PNW-GTR-509.

Grigg, Jamin L. 2007. Gradients of predation risk affect distribution and migration of a large herbivore. MS Thesis, Montana State University.

Jellison, Bert A. 1998. Rocky Mountain Elk Vulnerability on the Bighorn National Forest.

Jellison, Bert A and Robert E. Damson. 1999. Rocky Mountain Elk Effectiveness on the Bighorn Mountains.

Wisdom, M.J. 2007. Shift in spatial distribution of elk away from trails used by all-terrain vehicles. Report 1, USDA Forest Service, Pacific Northwest Res. Sta., 1401, Gekeler land, La Grande, OR 97805.

Wyoming game and Fish Dept. 2004 A Rocky Mountain Elk Habitat Conservation Plan for the WGFD Sheridan Region.

BHA Issue: In a phone conversation between I and the Lincoln District Ranger in November of 2012, the issue of inconsistent elk security direction between eastside Forest Plans was cited by the Lincoln District Ranger as a reason to change from current elk security standards. If consistency between eastside Forests is an objective, we question why the Helena is proposing to move forward with some new Forest-specific standard well ahead of other eastside Forests? We also are concerned that, only a couple of months ago the three MDFWP biologists with responsibility for elk on the Helena had no knowledge of specifically what the Helena was proposing as an elk security standard, despite a Notice of Intent to change the standard being already published in the Federal Register. This appears to be a serious deficiency in a process where the Helena asserts MDFWP has been fully involved throughout the process.

BHA Issue: We find the proposed application of the big game security amendment to only apply to the general rifle season as ignoring the displacement impacts by bowhunters. There are about 40,000 bowhunters in Montana and most hunt at least part of the season on public lands, including the Blackfoot Travel Plan area. Grigg (2007) and others have documented the displacement of the majority of elk to private lands due to bowhunting activity. The distribution of bowhunters into the most secure habitats likely exceeds the distribution of rifle hunters because of longer hunting daylight in late summer/early fall and better travel conditions with a general lack of snow. We strongly request any elk security amendment apply to bowhunting and general hunting season equally.

BHA Issue: Proposed FP amendment "Where security areas comprise 30 percent or less of the fall use area of an elk herd unit (within the HNF administrative boundary) during the general rifle season, management activities shall not result in a further reduction". We object to 1) assumption that management can further reduce existing security areas and 2) that no management actions are necessary to correct conditions when there is less than 30 percent comprising conditions to meet security habitat. Given that portions of the Travel Plan area may have more security habitat than the minimum should not be endorsement of actions or activity to reduce security habitat levels down to a minimum. The secure habitat exceeding the minimum should be considered for "banking" to offset those areas having less than the minimum. Further, we believe that the Forest, through this concurrent travel plan process, must and can reduce open motorized routes to a level to meet the minimum of 30% or more. Therefore we see no justification for the clause "shall not result in a further reduction" that draws the security bar at today's deteriorated condition..

BHA Issue: "Classification of elk herd units by the proposed Forest Plan standard indicates that all herd units comply with the big game security standard under all alternatives. Under the current Forest Plan standard, only two of the eight herd units are in compliance." This DEIS conclusion speaks for itself how far the bar has been lowered by the Helena with this proposed amendment. Without closing any motorized routes (Alt 1) or even adopting user created routes (Alt 2) elk security on the Blackfoot Travel Plan area has remarkedly improved, according to this statement. We ask for supporting concurrence by recognized elk scientists as to the state of elk security in the Travel Plan area.

We request the Helena Forest adhere to the existing elk security definition in the Helena Forest Plan, unless and until all the elements of the following process and outcome can be assured.

A) Begin a new open, public process incorporating all pertinent science with full participation and equal partnership by FWP field biologists representing the areas considered for standard revision.

B) Full agreement and consistency with all 4 eastside forests and all pertinent Regions of MDFWP of any new proposed elk security standard.

C) Outside peer development and review and concurrence of any proposed Elk Security Standard by recognized elk scientists and biologists experienced in elk security in context with Helena vegetative conditions, topography and mixed ownership.

D) Any measure of Elk security for the Helena must assure 1) that condition of and quantity of elk security results in the majority of public land elk on any landscape will remain on public land during the hunting

season, or until winter conditions force them to lower lands, and 2) the age distribution of male elk meets the goals of FWP following the hunting season.

E) The elk security standard must be applied equally to all elk hunting seasons, including archery only season, as well as general season.

F) ORV and other motor travel regulations and commensurate enforcement must result in full public enforcement compliance, and, if not, public non-compliance be a measured, quantitative variable assessed in the realistic effectiveness of any new elk security standard.

G) Any Elk Security Standard must address criteria to restore elk security as soon as possible where a herd unit habitat is deficient, rather than to accept the status quo as the new minimum in that herd unit.

We are submitting these extensive comments on behalf of long term wildlife habitat protection and restoration ,as well as protecting and restoring traditional hunting and fishing opportunities. We urge you to make necessary and appropriate modifications in the final travel plan. We also request you abandon current efforts to amend the elk security standard until the above elements of a proposed amendment and associated process can be incorporated into a new process.

Sincerely,

s/ greg l munther

Greg L Munther, Chairman
Montana Chapter, Backcountry Hunters and Anglers